

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI**

DELORIS CAIRO,)	
)	
Plaintiff,)	
)	
vs.)	
)	Case No. <u>4:15-cv-00837</u>
MEDICREDIT, INC.,)	
)	
Defendant.)	

NOTICE OF REMOVAL

Defendant Medcredit, Inc. (“Medcredit”) timely files this Notice of Removal pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, removing this action from St. Louis County Circuit Court, Associate Division, to the United States District Court for the Eastern District of Missouri, and in support of this Notice, states as follows:

1. On April 15, 2015, Plaintiff Deloris Cairo (“Plaintiff”) filed a Petition (hereinafter “Petition”) against Defendant Medcredit in St. Louis County Circuit Court, Associate Division, State of Missouri (the “State Court”). The Petition contains a claim alleging violations of the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692 *et seq.*, and the Telephone Consumer Protection Act of 1991 (“TCPA”), 47 U.S.C. § 227(3)(b).

2. Pursuant to 28 U.S.C. § 1446(a), a copy of the Petition is attached as **Exhibit A**; a copy of the County Court Summons is attached as **Exhibit B**; and a copy of proof of service on Medcredit, Inc. is attached as **Exhibit C**.

3. Plaintiff served Mediacredit with the summons on April 28, 2015. Accordingly, Mediacredit timely files this Notice within the 30-day limit established by § 1446(b)(1).

4. The United States District Court for the Eastern District of Missouri has original jurisdiction over this matter under 28 U.S.C. § 1331 because Plaintiff's Petition implicates the Court's federal question jurisdiction, specifically the federal FDCPA and TCPA. Ex. A ¶¶ 1, 3, 12, 29, 34-39.

5. Removal to the United States District Court for the Eastern District of Missouri is proper under 28 U.S.C. § 1441(a), which provides that any civil action brought in a County and/or State Court where the District Courts of the United States have original jurisdiction is removable to the Division of the United States District Court embracing the place where such action is pending.

6. Accordingly, this Court has subject matter jurisdiction over this action, and this case is properly removed to this Court.

7. As required by 28 U.S.C. § 1446(a), true and correct copies of all process, pleadings, and orders served upon Defendant are attached as Exhibit D.

8. As required by 28 U.S.C. § 1446(d), written notice of the filing of this Notice of Removal will be promptly served on Plaintiffs' counsel.

9. As required by 28 U.S.C. § 1446(d), Mediacredit has filed a Notice of Filing of the Notice of Removal with the St. Louis County Circuit Court, Associate Division, State of Missouri.

WHEREFORE, Defendant Mediacredit, Inc. gives notice that the above-entitled action is removed and transferred forthwith from the St. Louis County Circuit Court, Associate Division,

State of Missouri to the United States District for the Eastern District of Missouri.

Dated: May 27, 2015

By: s/ Scott J. Dickenson, Esq.

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Attorneys for Defendant Medicredit, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on May 27, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and via first class mail upon:

Steven A. Donner
1108 Olive Street, Suite 200
St. Louis, MO 63101
Attorney for Plaintiff

s/ Scott J. Dickenson